IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SEVENTEENTH DAY OF APRIL
TWO THOUSAND AND SIX

PRESENT

THE HON'BLE SRI JUSTICE BILAL NAZKI

and
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

-

WVMP.No. 641 of 2006 in WPMP.No.32802 of 2005

and

WRIT PETITION No.25506 of 2005

WVMP.No.641 of 2006

Between:

1.The Asst.Commissioner (CT) LTU,

Secunderabad Division,

Abids, Hyderabad, and 2 others.

..... PETITIONERS

AND

M/s.Ballarpur Industries Limited,

having its office at 31A, Sarojini Devi Road,

Secunderabad.

.....RESPONDENT

WP.No.25506 of 2005

Between:

M/s.Ballarpur Industries Limited,

having its office at 31A, Sarojini Devi Road,

Secunderabad.

..... PETITIONER

AND

1.The Asst.Commissioner (CT) LTU,

Secunderabad Division,

Abids, Hyderabad, and 2 others.

.....RESPONDENTS

COMMON ORDER: ***(Per Hon'ble Sri Justice Bilal Nazki,)***

Interim stay has been granted by this Court on 30-11-2005. Now, a vacate stay petition has been filed.

It is stated by Mr.Ravi, the learned Counsel for the writ petitioner, that sales tax has been imposed also on miscellaneous income. According to the learned Counsel, on miscellaneous income, tax of above Rs.13 lakhs has been imposed, and for rest of the items, it would be around eight lakhs.

Since *prima facie* it appears that some tax has been imposed on miscellaneous income, therefore, we modify the order of stay granted by this Court on 30-11-2005 by directing to pay 25% of the disputed tax within a period of two weeks.

With this order, the Writ Petition itself can be disposed of as the appeal is pending before the competent authority.

Writ Petition and the Vacate stay petition are accordingly disposed of. No costs.

(Bilal Nazki, J)

17th April, 2006

(G.Chandraiah, J)

LUR